

## 2009 DRAFTING REQUEST

### Bill

Received: 01/19/2009

Received By: agary

Wanted: As time permits

Identical to LRB:

For: Administration-Budget

By/Representing: Byrnes

This file may be shown to any legislator: NO

Drafter: agary

May Contact:

Addl. Drafters:

Subject: Transportation - other

Extra Copies: EVM

Submit via email: NO

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### Pre Topic:

DOA:.....Byrnes, BB0448 -

---

### Topic:

Create a program revenue appropriation for ambulance inspections

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### Instructions:

See attached

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### Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	agary 01/20/2009	jdyer 01/21/2009					S&L
/1			mduchek 01/21/2009		cduerst 01/21/2009		S&L
/2	agary 01/22/2009	jdyer 01/22/2009	rschluet 01/22/2009		sbasford 01/22/2009		

FE Sent For:

<END>

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/?	agary 01/20/2009	2 1/22 jld jdyer 01/21/2009		_____			S&L
/1			mduchek 01/21/2009	_____	cduerst 01/21/2009		

FE Sent For:

<END>

**2009 DRAFTING REQUEST**

**Bill**

Received: **01/19/2009**

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Wanted: **As time permits**

Identical to LRB:

For: **Administration-Budget**

By/Representing: **Byrnes**

This file may be shown to any legislator: **NO**

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May Contact:

Addl. Drafters:

Subject: **Transportation - other**

Extra Copies: **EVM**

Submit via email: **NO**

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DOA:.....Byrnes, BB0448 -

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**Topic:**

Create a program revenue appropriation for ambulance inspections

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**Instructions:**

See attached

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/?	agary	1/21 jld	MD	MD JF 1/21			

FE Sent For:

**<END>**

## 2009-11 Budget Bill Statutory Language Drafting Request

- Topic: Create a program revenue appropriation for ambulance inspections
- Tracking Code: BB0448
- SBO team: Tax, Transportation and Budget Development Team
- SBO analyst: Tyler Byrnes
  - Phone: 266-1039
  - Email: tyler.byrnes@wisconsin.gov
- Agency acronym: DOT
- Agency number: 395
- Priority (Low, Medium, High): High

Intent: Please prepare a draft that creates a program revenue appropriation for ambulance inspections. Allow the department to charge ambulance operators for the inspections. Allow the department to administratively set prices and procedures for the inspections. The revenue generated from this new program revenue appropriation is to fund the operation of the inspection program in the department.

2009 - 2010 LEGISLATURE

LPS - request sheet 1/20  
already fixed

1632/1  
LRB-66621  
ARG (ldjff)

stays

RMNR

DOA:.....Byrnes, BB0446 - Create a program revenue appropriation for ~~bus~~ inspections

FOR 2009-11 BUDGET -- NOT READY FOR INTRODUCTION

LPS -  
check  
auto refs

ambulance

D-note

x

don't gen

1

AN ACT ...; relating to: the budget.

*Analysis by the Legislative Reference Bureau*

**TRANSPORTATION**

**DRIVERS AND MOTOR VEHICLES**

insert  
ANAL

Under current law, DOT must adopt and enforce rules relating to school buses, including rules relating to the inspection of school buses. DOT rules currently require school buses to be inspected annually.

This bill requires DOT to promulgate rules specifying the fee to be charged by DOT for ~~school bus~~ inspections. The bill also appropriates all ~~school bus~~ inspection fees collected by DOT for use for purposes related to conducting these inspections.

For further information see the *state and local* fiscal estimate, which will be printed as an appendix to this bill.

*The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:*

2

SECTION 1. 20.395 (5) (ds) of the statutes is created to read:

(1) 20.395 (5) ~~(ds)~~ <sup>(dt)</sup> *Ambulance* ~~School bus~~ inspection, state funds. All moneys received as ~~school~~  
 (2) ~~bus~~ inspection fees as provided under s. ~~110.06 (6)~~ <sup>341.085 (3)</sup> for purposes related to conducting  
 (3) inspections of ~~school buses~~ <sup>ambulances</sup> under s. ~~110.06 (2)~~ <sup>341.085</sup>.

\*\*\*NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

(4) SECTION 2. ~~110.06 (6)~~ <sup>341.085 (3)</sup> of the statutes is created to read:

(5) ~~110.06 (6)~~ <sup>341.085 (3)</sup> The rules under sub. (2) shall specify the fee to be charged by the  
 (6) department for an ~~inspection~~ <sup>ambulance</sup> under sub. (2). The department shall credit to the  
 (7) appropriation account under s. 20.395 (5) ~~(ds)~~ <sup>(dt)</sup> all fees collected for inspections of  
 (8) ~~school buses under subs. (2)~~ <sup>ambulances under this section</sup>.

(9) SECTION 9150. Nonstatutory provisions; transportation.

(10) (1) ~~SCHOOL BUS~~ <sup>Ambulance (Cs)</sup> INSPECTIONS.

(11) (a) The department of transportation shall submit in proposed form the rules  
 (12) required under section ~~(110.06 (6))~~ <sup>341.085 (3)</sup> of the statutes, as created by this act, to the  
 (13) legislative council staff under section 227.15 (1) of the statutes no later than the first  
 (14) day of the 4th month beginning after the effective date of this paragraph.

(15) (b) Using the emergency rules procedure under section 227.24 of the statutes,  
 (16) the department of transportation shall promulgate the rules required under section  
 (17) ~~110.06 (6)~~ <sup>e</sup> of the statutes, as created by this act, for purposes of implementing this

(18) act, for the period before the effective date of the rules submitted under paragraph

(19) <sup>a.r.</sup> (a). The department shall promulgate these emergency rules no later than the first  
 (20) day of the 4th month beginning after the effective date of this paragraph.  
 (21) Notwithstanding section 227.24 (1) (c) and (2) of the statutes, these emergency rules  
 (22) may remain in effect until July 1, 2011, or the date on which permanent rules take  
 (23) effect, whichever is sooner. Notwithstanding section 227.24 (1) (a) and (3) of the

1 statutes, the department is not required to provide evidence that promulgating a rule  
2 under this paragraph as an emergency rule is necessary for the preservation of the  
3 public peace, health, safety, or welfare and is not required to provide a finding of  
4 emergency for a rule promulgated under this paragraph.

5 **SECTION 9450. Effective dates; transportation.**

6 (1) ~~SCHOOL BUS~~ <sup>Ambulance</sup> INSPECTIONS. The treatment of sections 20.395 (5) <sup>dt</sup> ~~(4)~~ and  
7 ~~410.06~~ (6) of the statutes takes effect on the first day of the 4th month beginning after  
8 publication.

9 (END)

d-note  
↓

**2009-2010 DRAFTING INSERT  
FROM THE  
LEGISLATIVE REFERENCE BUREAU**

LRB-1632/lins  
ARG:.....

1           **INSERT ANAL:**

Under current law, prior to issuing or renewing a vehicle registration for an ambulance, <sup>✓</sup>DOT must inspect the ambulance to determine whether it meets certain requirements.

2

3           **INSERT 2-3:**

4           **SECTION 1.** 341.085 (2) <sup>✗</sup> of the statutes is amended to read:

5           341.085 (2) The department ~~may~~ shall <sup>✓</sup> adopt rules necessary for  
6 administration of this section and prescribe ambulance service equipment and  
7 standards therefor, except that any ambulance which does not conform to rules  
8 adopted by the department may be used until December 30, 1979.

9           History: 1977 c. 29.

**DRAFTER'S NOTE**  
**FROM THE**  
**LEGISLATIVE REFERENCE BUREAU**

LRB-1632/1dn

ARG: :....

date

jld

ATTN: Tyler Byrnes

The attached draft creates an appropriation to supplement ✓ DOT's cost of administering its ambulance inspection program under s. 341.085. ✓ If you intended the fee specified in the attached draft to provide full funding for this program, please let me know and I will revise the appropriation created in the attached draft and amend s. 20.395 (5) (dq) ✓ to remove the pertinent language.

Aaron R. Gary  
Legislative Attorney  
Phone: (608) 261-6926  
E-mail: aaron.gary@legis.wisconsin.gov

**DRAFTER'S NOTE  
FROM THE  
LEGISLATIVE REFERENCE BUREAU**

LRB-1632/1dn  
ARG:jld:md

January 21, 2009

ATTN: Tyler Byrnes

The attached draft creates an appropriation to supplement DOT's cost of administering its ambulance inspection program under s. 341.085. If you intended the fee specified in the attached draft to provide full funding for this program, please let me know and I will revise the appropriation created in the attached draft and amend s. 20.395 (5) (dq) to remove the pertinent language.

Aaron R. Gary  
Legislative Attorney  
Phone: (608) 261-6926  
E-mail: [aaron.gary@legis.wisconsin.gov](mailto:aaron.gary@legis.wisconsin.gov)

**Gary, Aaron**

---

**From:** Byrnes, Tyler - DOA [Tyler.Byrnes@wisconsin.gov]

**Sent:** Wednesday, January 21, 2009 8:51 AM

**To:** Gary, Aaron

**Subject:** Draft 09-1632/1

Aaron,

In response to your drafter's note, the intent was that the program revenue would fund the entire ambulance inspection program.

Thanks,

Tyler

01/21/2009



State of Wisconsin  
2009 - 2010 LEGISLATURE

LRB-1632/12

ARG:jld:md

in  
1/22

MR

DOA:.....Byrnes, BB0448 - Create a program revenue appropriation for ambulance inspections

FOR 2009-11 BUDGET -- NOT READY FOR INTRODUCTION

by DOT  
in administering its ambulance inspection program

don't gen

1 AN ACT ...; relating to: the budget.

*Analysis by the Legislative Reference Bureau*

**TRANSPORTATION**

**DRIVERS AND MOTOR VEHICLES**

Under current law, prior to issuing or renewing a vehicle registration for an ambulance, DOT must inspect the ambulance to determine whether it meets certain requirements.

This bill requires DOT to promulgate rules specifying the fee to be charged by DOT for ambulance inspections. The bill also appropriates ambulance inspection fees collected by DOT for use for purposes related to conducting these inspections.

For further information see the *state and local* fiscal estimate, which will be printed as an appendix to this bill.

*The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:*

**SECTION 1.** 20.395 (5) (dt) of the statutes is created to read:

1           20.395 (5) (dt) *Ambulance inspection, state funds.* All moneys received as  
2 ambulance inspection fees as provided under s. 341.085 (3) for purposes related to  
3 administering the ambulance inspection program  
conducting inspections of ambulances under s. 341.085. ✓

\*\*\*\*NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

4           **SECTION 2.** 341.085 (2) of the statutes is amended to read:

5           341.085 (2) The department ~~may~~ shall adopt rules necessary for  
6 administration of this section and prescribe ambulance service equipment and  
7 standards therefor, except that any ambulance which does not conform to rules  
8 adopted by the department may be used until December 30, 1979.

9           **SECTION 3.** 341.085 (3) of the statutes is created to read:

10          341.085 (3) The rules under sub. (2) shall specify the fee to be charged by the  
11 department for an ambulance inspection. The department shall credit to the  
12 appropriation account under s. 20.395 (5) (dt) all fees collected for inspections of  
13 ambulances under this section.

14          **SECTION 9150. Nonstatutory provisions; Transportation.**

15          (1) AMBULANCE INSPECTIONS.

16          (a) The department of transportation shall submit in proposed form the rules  
17 required under section 341.085 (3) of the statutes, as created by this act, to the  
18 legislative council staff under section 227.15 (1) of the statutes no later than the first  
19 day of the 4th month beginning after the effective date of this paragraph.

20          (b) Using the emergency rules procedure under section 227.24 of the statutes,  
21 the department of transportation shall promulgate the rules required under section  
22 341.085 (3) of the statutes, as created by this act, for purposes of implementing this  
23 act, for the period before the effective date of the rules submitted under paragraph

1 (a). The department shall promulgate these emergency rules no later than the first  
2 day of the 4th month beginning after the effective date of this paragraph.  
3 Notwithstanding section 227.24 (1) (c) and (2) of the statutes, these emergency rules  
4 may remain in effect until July 1, 2011, or the date on which permanent rules take  
5 effect, whichever is sooner. Notwithstanding section 227.24 (1) (a) and (3) of the  
6 statutes, the department is not required to provide evidence that promulgating a rule  
7 under this paragraph as an emergency rule is necessary for the preservation of the  
8 public peace, health, safety, or welfare and is not required to provide a finding of  
9 emergency for a rule promulgated under this paragraph.

10 **SECTION 9450. Effective dates; Transportation.**

11 (1) AMBULANCE INSPECTIONS. The treatment of sections 20.395 (5) (dt) and  
12 341.085 (2) and (3) of the statutes takes effect on the first day of the 4th month  
13 beginning after publication.

14 (END)

**2009-2010 DRAFTING INSERT  
FROM THE  
LEGISLATIVE REFERENCE BUREAU**

LRB-1632/2ins  
ARG:.....

1

2

3

**INSERT 1-1:**

4

**SECTION 1.** 20.395 (5) (dq) of the statutes is amended to read:

5

20.395 (5) (dq) *Vehicle inspection, traffic enforcement and radio management,*

6

*state funds.* The amounts in the schedule for administering the ~~ambulance~~ ✓

7

~~inspection program under s. 341.085,~~ the statewide public safety radio management

8

program under s. 85.12, the vehicle inspection ✓ and traffic enforcement programs, ✓

9

and transfers under s. 85.32.

**History:** 1971 c. 40 s. 93; 1971 c. 42, 107; 1971 c. 125 ss. 122 to 137, 522 (1); 1971 c. 197, 211, 215, 307; 1973 c. 90, 142, 243, 333, 336; 1975 c. 39; 1975 c. 163 s. 16; 1975 c. 200, 224, 270, 288, 340, 422; 1977 c. 29, 377, 418; 1979 c. 34 ss. 322e to 420, 574, 575; 1979 c. 221; 1981 c. 20 ss. 238 to 300, 2202 (51) (c), (e); 1981 c. 165, 234; 1981 c. 314 s. 146; 1981 c. 347 s. 80; 1981 c. 362; 1983 a. 27 ss. 270g to 315, 2202 (20); 1983 a. 243; 1985 a. 29 ss. 357 to 402, 3202 (51) (a); 1985 a. 65, 76, 341; 1987 a. 27, 137, 349, 369, 399, 403; 1989 a. 31, 56; 1991 a. 39, 104, 239, 269; 1993 a. 16, 285, 354, 437; 1995 a. 27, 113, 201, 338, 445; 1997 a. 27, 35, 135, 237, 255; 1999 a. 9, 109, 146, 167, 185; 2001 a. 16, 104, 109; 2003 a. 33, 64, 139, 220, 320; 2005 a. 25, 319, 335; 2007 a. 20, 42.

(end ins)



State of Wisconsin  
2009 - 2010 LEGISLATURE

LRB-1632/2

ARG:jld:rs

DOA:.....Byrnes, BB0448 - Create a program revenue appropriation for  
ambulance inspections

FOR 2009-11 BUDGET -- NOT READY FOR INTRODUCTION

1     **AN ACT** ...; **relating to:** the budget.

---

*Analysis by the Legislative Reference Bureau*

**TRANSPORTATION**

**DRIVERS AND MOTOR VEHICLES**

Under current law, prior to issuing or renewing a vehicle registration for an ambulance, DOT must inspect the ambulance to determine whether it meets certain requirements.

This bill requires DOT to promulgate rules specifying the fee to be charged by DOT for ambulance inspections. The bill also appropriates these ambulance inspection fees for use by DOT in administering its ambulance inspection program.

For further information see the *state and local* fiscal estimate, which will be printed as an appendix to this bill.

---

*The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:*

2           **SECTION 1.** 20.395 (5) (dq) of the statutes is amended to read:  
3           20.395 (5) (dq) *Vehicle inspection, traffic enforcement and radio management,*  
4           *state funds.* The amounts in the schedule for administering the ambulance

1 ~~inspection program under s. 341.085, the statewide public safety radio management~~  
2 ~~program under s. 85.12, the vehicle inspection and traffic enforcement programs,~~  
3 ~~and transfers under s. 85.32.~~

4 **SECTION 2.** 20.395 (5) (dt) of the statutes is created to read:

5 20.395 (5) (dt) *Ambulance inspection, state funds.* All moneys received as  
6 ambulance inspection fees as provided under s. 341.085 (3) for administrating the  
7 ambulance inspection program under s. 341.085.

\*\*\*\*NOTE: This SECTION involves a change in an appropriation that must be  
reflected in the revised schedule in s. 20.005, stats.

8 **SECTION 3.** 341.085 (2) of the statutes is amended to read:

9 341.085 (2) The department ~~may~~ shall adopt rules necessary for  
10 administration of this section and prescribe ambulance service equipment and  
11 standards therefor, except that any ambulance which does not conform to rules  
12 adopted by the department may be used until December 30, 1979.

13 **SECTION 4.** 341.085 (3) of the statutes is created to read:

14 341.085 (3) The rules under sub. (2) shall specify the fee to be charged by the  
15 department for an ambulance inspection. The department shall credit to the  
16 appropriation account under s. 20.395 (5) (dt) all fees collected for inspections of  
17 ambulances under this section.

18 **SECTION 9150. Nonstatutory provisions; Transportation.**

19 (1) AMBULANCE INSPECTIONS.

20 (a) The department of transportation shall submit in proposed form the rules  
21 required under section 341.085 (3) of the statutes, as created by this act, to the  
22 legislative council staff under section 227.15 (1) of the statutes no later than the first  
23 day of the 4th month beginning after the effective date of this paragraph.

(b) Using the emergency rules procedure under section 227.24 of the statutes, the department of transportation shall promulgate the rules required under section 341.085 (3) of the statutes, as created by this act, for purposes of implementing this act, for the period before the effective date of the rules submitted under paragraph (a). The department shall promulgate these emergency rules no later than the first day of the 4th month beginning after the effective date of this paragraph. Notwithstanding section 227.24 (1) (c) and (2) of the statutes, these emergency rules may remain in effect until July 1, 2011, or the date on which permanent rules take effect, whichever is sooner. Notwithstanding section 227.24 (1) (a) and (3) of the statutes, the department is not required to provide evidence that promulgating a rule under this paragraph as an emergency rule is necessary for the preservation of the public peace, health, safety, or welfare and is not required to provide a finding of emergency for a rule promulgated under this paragraph.

**SECTION 9450. Effective dates; Transportation.**

(1) **AMBULANCE INSPECTIONS.** The treatment of sections 20.395 (5) (dq) and (dt) and 341.085 (2) and (3) of the statutes takes effect on the first day of the 4th month beginning after publication.

(END)